tion of reporters and foreign ministers, and a ladies' gallery; that a room shall be set apart for a telegraph office; empowering the Door-keeper to employ rix additional messengers, and six laborers; and cartailing the classes of persons to be admitted to the floor. The report

10 05-20 Cari

The deaths of Messrs. Brenton and Lockhart late of Irdiana, were announced, and the Hous adjourned to the fourth of January.

WASHINGTON, D. C.

THURSDAY, DECEMBER 31, 1857.

THE LAST NUMBER OF THE VOLUME. With this number, the Era closes its eleventh volume. How many of our subscribers, at this important juncture, intend to leave us? With how many shall we commence our twelfth volume? THE NEW AMERICAN CYCLOPEDIA.

We shall notice in our next number Apple ton's New American Cyclopædia, the first num ber of which is just issued. It is published by subscription only.

A special agent of the Messrs, Appletons now in this city, who will call on the citizens generally. Orders for him may be sent to Shillington's bookstore-where copies may be seen-and they will receive prompt attention.

CAPTURE OF WALKER, AND RETURN TO THE UNITED STATES.

In our news columns may be found an ac count of the capture of the "man of destiny." as our Southern friends like to style him and his return to the United States. His career was cut short. The time has not yet come for Americanizing Central America.

This sudden catastrophe must afflict the Southern Propaganda. The President will soon find out that he has stirred up a hornet's nest Perhaps the Commodore will appear to have displayed too much zeal.

At all events, the Administration must de something to assuage the bitterness of the disappointment of the fire eaters. What of Cuba?

MR. BENTON AND THE SUPREME COURT

Historical and Legal Examination of the Decision of th of the Thirty Years' View. New York: D. Applete & Co. For sale in Washington by J. Shilling

We are indebted to Mr. Benton for a copy of this "Examination," which, although at one time arrested by a severe attack of sickness in the author, bears all the marks of his inex haustible intellect, and is a triumphant refutation of the dicta of the Supreme Court, in regard to the "unconstitutionality of the Missouri Compromise, and the self-extension of the Federal Constitution to the Territories."

In an elaborate Introductory Note he sets forth at length his objections to the decision of the Court," not only because it was without jurisdiction and wrong in itself, but because it was political, pertaining to the policy of civil government of the Union, interfering with the administration of the affairs of the State."

The ground is taken and ably maintained the Congress holds its powers from the Constitu tion, must construe these powers for itself, is not bound by the decisions of the Supreme its highest sense, it belongs to God alone. As Court ; and that this Tribunal has no right to ing Congress in its legislative capacity."

Congress ought to follow its own opinion, in dependently, as it did "in the case of the United States Bank, the Sedition Law," &c.,

Mr. Buchanan appears to entertain quite a different view. He hailed the opinion of the Court in the case of the Missouri Compromise, although it assumed to set aside the views on which the Government had acted from the beginning of the Constitution, and would doubtless be pleased if the Court would settle for the Executive and Congress all questions on which they have to act. In other words, he would have Congress and the Executive look to the Court, not the Constitution, for the definition of their powers, swear allegiance to the Court, not the Constitution.

Mr. Benton next proceeds to his main work. the Examination of the Court's Opinion, under

1. As it concerns the power exercised by Congress over the original territory of the United States.

2. As it concerns the new territory acquired

by the Louisiana Purchase. 3. As it respects the Missouri Compromise

The great object is to show that Congress exercised, and rightfully, supreme authority over the Territories, both original and acquired; that it governed them independently of the Constitution, by virtue of sovereign and propritary rights; that the question of admitting or prohibiting Slavery " never rose higher than a question of expediency;" and that all this continued to be the case, without distinction of men or parties, and with the universal concur rence of all the departments of the Government, legislative, executive, judiciary. State and Federal, from the legislative adoption o the Ordinance of 1787, in the year 1789, down to the abrogation of the Missouri Compromise

We need not say with what energy the argu ment is presented, with what an array of facts and variety of illustrations it is enforced. The author sees clearly the practical effect

sought by the promulgation of the new doctrines. especially that of the "Self-Extension of the Constitution with Slavery to Territories"-the over all opposing laws and usages.

" That is the declared effect of the transmi

reation of the Constitution to free territory by the author of the doctrine; and great is the extent of country, either acquired or to be ac quired, in which the doctrine is to have appli ation. All New Mexico and California, at the time it was broached-all the Territories now had, wherever situated, and as much as can be added to them-these additions have already been considerable, and vast, and varied access sions are still expected. Arizonia has been ac quired; fifty millions were obliged to Mexico for her northern half, to include Monterey and Saltillo; a next is now offerred for Sonora and Sinolos, down to Guayamas; Tehuantepec of San Domingo, Cuba, with islands on both sides of the tropical continent. Nor do we stop at the two Arizonias, thin coasts and islands as they are; but, circumscribing the homoge neous globe, we look wistfully at the Sandwich Islands, and on some germ in the Polynesian group; and plunging to the antipodes, pounce down upon Formosa in the Chinese sea. Such , we look wistfully at the Sandwich and must continue, should its policy continue Over all these provinces, and islands, an ports, now free, our Constitution must spread, (if we acquire them, and the decision of the Court stands,) overriding and over-Supreme Court stands,) overriding and over-ruling all Anti-Slavery law in their respective limits, and planting African Slavery in its place beyond the power of Congress or the peopl

After this, we cannot suppose that the veter an author of this rearching Examination, who sees so clearly the fearful consequences of these self to support in any way an Administration to abide by them in their policy.

friende, as usual, New Year's Day.

made a report to provide for the accommoda. POLITICAL TRUTHS - RIGHT OF SELF-GOV-ERNMENT-POPULAR SOVEREIGNTY.

> It is impossible to state the fundamental Truths of Political Science with mathematical exactness. Theorists who attempt this, and then undertake to reason accordingly, fall into

> inextricable difficulties. The axiom of the Declaration of Indepenpendence, that " Governments derive their just powers from the consent of the governed, needs careful interpretation to give it any practical value. Let us attempt to apply the Prin ciple which seems so intelligibly-enunciated to a State-for example, South Carolina. Who are the "governed?" Men, women, and childrenwhite, black, and mulatte—free people and slaves.
>
> Does the Government of the State derive its "just powers" from the consent of all these classes? Literally, all are "governed"-but, as a matter of fact, we know that slaves, and colored people, and women, and children, are not included in that term : their consent is not asked to the endowment of the Governmen with any power; all that is necessary is, the con sent of the free white males. But, here again we must resort to interpretation. Only free white males over twenty-one are meant. Why.? By what law of nature is it, on what self-eviden principle is it, that free white males of eighteen nineteen, twenty, are excluded? And is the consent of all free white males over twenty-one necessary to secure a just power to the Govern ment? No-otherwise there never could b any just Government. The consent of only majority of them is required. Must the co sent be formal or implied, preliminary or sul

sequent? The Declaration sayeth not. Here then is a great Truth, as it is called, o the Declaration of Independence, stated in terms so inexact as to require a series of con structions to make it intelligible and fit for ap plication. The proposition that "all Govern ments derive their just powers from the consen of the governed," means, generally, that they de rive their power from the consent of a majority of males over twenty one, or exceptionally, as in the case of South Carolina and other slave States, from the consent of a majority of the free white males over twenty-one-the consen in both cases being either formal or implied.

This may answer as a convenient definition of a Principle, acted upon in this country, bu it will not bear the test of rigid scrutiny. Sur pose, for instance, the majority of free white males should endow the Government with pow er to prohibit religious worship except in one way, and to exact a certain religious belief as a test of eligibility to office, would it be a just

Every one sees that something more is neces sary to constitute a just power in Government than the consent of the governed-of the ma jority of males over twenty one. It must be in accordance with justice-with the natural right to life, liberty, and the pursuit of happiness, as inherent in every human being. Right and wrong do not depend upon majorities or minor ities. Neither a minority nor the whole of community can invest Government with a just power to do injustice.

Another example of the inexactness with which Political Truths are stated, is to be found in the discussion of what is called "Sovereign ty." "Sovereignty" means, supreme power. In t admits of various meanings. It is the highest power in a State-but there may be inferior Sovereignties. There is an absolute Sovereignty and a limited Sovereignty. That of the Czar is absolute, that of the Queen of England eign, and yet, officially, during his term of of fice, he wields more power than Queen Victo

ria. We do not style Congress, Sovereign : vet it is less amenable to public opinion than the British Parliament, which is often styled Sovereign. American politicians speak of the Sov. ereign People, although the People are the governed," not the Government; and of the Sovereign States, although the Federal Constitution, and the Laws passed in pursuance thereof, are the supreme law of the land. "anything in the laws of the States to the contrary notwithstanding."

It is vain to attempt to confine the word Sovereignty to one thing, as Governor Walker does in his Letter to the President. Usage forbids it. So restricted a definition would lead to continual misunderstandings. Sovereignty resides alone in the People, says Mr. Walkerthat is, in the People of each State : there is no other Sovereignty. And yet, it is only on rare occasions that this Sovereienty makes itself manifest, as, for example, in the creation, the ratification, or the amendment of a Constitution-never in the ordinary functions of Government, never in the administration. Sovereignty resides in the People of each

State, as the source of all political power. That is true; but the term is greatly expanded in popular acceptation. Each State-that is, the Government of each-being the State organized, is sovereign and independent in relation to other State Governments. The United Statesthat is, the Government, being the States or ganized for certain purposes, as one body, is free, sovereign, independent, in relation to all other Governments. The State Government, being supreme within its limits, is Sovereign The Federal Government, being supreme within its limits, is Sovereign.

The People of each State, being the source o all power in either, are Sovereign, although they cannot act upon the humblest individual except through the limited Sovereignties derived from themselves. The citizen owes allegiance to the Government of his State and to institution of Slavery instantly in all Territory, the Government of the United States: to them he looks for protection-their laws he obove he does not acknowledge allegiance to "the People," or look to them for protection; and they do not enact the laws regulating his interests. Strange that the only American Sovereign should be so completely ignored by everybody, except the political theorist and the demagogue!

Southern dogmatists of a certain school claim that Sovereignty over the Territories resides alone in the People of the States-or, more precisely, in the People of each State. According to this, there are thirty-one distinct Sovereign ties over our Territories, each possessing an equal right to govern them. When they ac quired their Sovereignty, how they are to exercise it, how they are to decide, when conflict ing in their views, we are not informed. The Constitution of a State defines what the State Government may do, and how it shall be done the Constitution of the United States defines what the Federal Government may do, and how it shall be done; but we have no Constitution directing how the People of each State shall, as a Sovereign, exercise Sovereign functions over the Territories of the Union. This Southern notion is too ridiculous for fur-

ther comment. Next, we have the theory that the people of a Territory possess Sovereignty, and, in the exercise of their Sovereign rights, have a right to sult their will, so far as the general welfare will opinions of the Supreme Court, can bring him- as groundless as the one just noticed. The Sovereignty of the People of a Territory! When the power of self-government, oug t, whenever sented only a minority. Nor did it submit the and a Party which have formally incorporated do they acquire it? At first, a hundred adventage of presenting a man from a free they desire, and their condition justifies it, ad- Question of Slavery fairly to the People. The them into their creed, and pledged themselves turers settle on a vast domain, acquired by the mit them as The Editor of the Era will receive his vest them with a right to govern the hundreds giving aid and countenance to atter pts to force we do not misrepresent, is shown by the fol-

which they occupy a few thousand acres? body, an assemblage of men elected through J. Calhoun, President of the Convention, an erate on the question of Slavery, and to express They multiply; immigration olds to their notorious fraud and violence; in bestowing numbers. Congress encloses them within cer-tain boundaries—organizes them into a political tion; and in now attempting to bring Kauss community-gives them a Constitution-authorizes them to carry on the work of self-government to a certain extent-appoints them a Governor, a Secretary of State an Attorney General, a Judiciary. Who ex reises Sovereign right here—the people of ! Territory, or and natural right, and made itself an accom-Congress? Can they do more than they are plice in oppression and fraud. It has abused authorized to do? Can they e ercise a single power not granted by Congr. 18? And has by disregarding the will of the majority, by not the power been again and gain reserved trampling upon the Democratic doctrine of the by Congress, to revise their law, and to annul right of self-government, by a policy, subversive them, should it see proper? I e they Sover- of the peace and order of the Territory, detrieign, then, after their Territorial organization? Where is the evidence? Brigham Young and Union of these States. his People, acting upon this assumption, are denounced as rebels; the House of Represent atives, affirming that they are repels, appoints a Committee to examine the right of their

Delegate to hold his seat in that body; the President dispatches an army to put down the rebellion; and if the counsel of Sonator Douglas

iserable mockery. The men who deal most flipps tly with the phrases, know that they mean ne hing.

be followed, the act organizing heir organiza

Territorial Sovereignty! Squa per Sovereign

ty! Popular Sovereignty in Terstories! What

tion as a Territory will be repea at!

The plain truth is that whi 's has always been acted upon, in a greater of less degree: The Sovereignty over the Ter tories of the Union resides in the Federal Go, grnment. The States ceded to the Congress of the Confeder. ation the Northwest Territory; Congress accepted the cession, and provided an Ordinance, in the form of a Compact, for it government The Congress of the Constitution through that instrument expressly, became bound by the engagements of the old Congress, and, in pursuance of this obligation, at its first session passed an act recognising that erdinance, and giving it effect. The clause in the Constitu-tion, authorizing it to pass all needful rules and regulations for the Torritory or any other property of the United States, vas clearly in ended to apply to that Territory, but being general in its views and required by the relations of the Federa; Go ernme, t to any Territory, would apply least nably o any other Territory which might be acquire !.

Whether the frame is of the Co, stitution con templated further Te rito lal acq. sition, we do not know: certainly they did no grant power in express terms to sequire; although, in conferring on the President sad the enate power to make Treaties, it may be arguer that they evidently conferred the lowe of Ter torial acquisition. So, too, the same power i light be incidental to the power o Cor gress t declare war. Conquests might be nad , and onquests retained, as indemnity or wong dee, or security for peace.

By Treaty, Conquest, or F rchase, the Federal Government as equired Territorynot the Sovereign leop's of e ch separate State; and the power to govern s plainly in separable from the towe to aco ire and possess. Even were there to claus in the Constitution authorizing (ong ess to g ske all needful rules and regulations for the Territory or other property of the United States, the Federnecessity of the case, must possess this right, as incident to its right to acquire. It alone is Sovereign over the Territorie, and in the exercise of its right, is limited by its disstitution is a form of Government for the States united, not Texitor es. Territories have an State rights. The Federal Gove nment man govern the

Territories by a Governor and Council, or through a Governor, Leg slature, and Judiciary. It may, if it are proper, withhold the power of self-governa ent, or it may grant it. It may authorize the people of a Territory to form a State Constitution or refuse them authority. It may rat ly the form of a State Constitution formed by them, voluntarily, and receive them into the Union, on their petition. or refuse such ratification and patition; and until admitted into the Union as a State, the people of a Territory pave no sov reignty, but are under the control of the Fed ral Government. The Government may in wrongmay act oppressively - but it must then be arraigned, not on constitutional rounds, but on grounds of reason and natural right. The people of a Territory have no ri, ht to resist under the Constitution, or in virty of the Constitution, for it is not over them; it is not, as assumed by the Pro Slavery magrity of the Supreme Court, for I ro-Slavery | arposes, extended to them. The r only right of resistance

is, the great natural a ght of revolution. We are at pains to make these liews prom nent, lest some of our eaders be proplexed with the discussions which now seem turn upon the question of Popular Sovereig, ty, and lose sight of the simple, clear, well-est slished principles held by the Rep blicans in ommon with the founders of our Constitution, concerning

The doctrine that would place them under thirty-one distinct Screreignties, would make all Territorial Government an impossibility.

Territories.

The doctrine that claims for the people of a Territory, before or after Territorial organization, Sovereign rights, has no ground to rest upon-is inconsistent with the gawer always exercised by Congres, over Territories, by the consent and co-operation of all parties-and cannot be carried cut without encouraging them in rebellion.

The doctrine that the Federal Constitution is self-extended to the Territories is false, be cause that paper was made by the people of the United States, not Territories; for States, not Territories; applies to States, not Territories. If so extended, all Territories would at once rise to the rank and claims of States, and as such. be entitled, without act of Congress to organize State Constitutions, form State Covernments, and elect Representatives and Senators to

Congress. The only true doctrine is, that the Federal a right to govern thee, at its will, to keep them in a Territorial condition so long as it shall deem best, to prohibis in them any institution or practice which it way judge detrimental to the Convention represented the People of Kanthe public welfare, to admit there as States, either by authorizing preliminary Conventions to form State Constitutions, or by ratifying the proceedings of Convections hald by the People,

How it shall exercise this larg. power, is a question of justice and expedienc , not constitional right. Taking the stends I of natural right as the measure of the just powers of Government, the Federal Government, ought not oppress these people, ought to protect their rights and promote their interests, eaght to condone, without injury to the United States, with

tion; and in now attempting to bring Kausas into the Union with a Pro-Slavery Constitution; which it knows, and the whole country knows, is repudiated by four-fifths of its qualified voters. In all this, we do not say it has violated the Constitution, but it has trampled upon justice mental to the honor and dangerous to

PRESIDENTIAL INTERVENTION AGAINST

Mr. Douglas was severely censured by some Administration Senators, for insinuating that Washington influence would be brought to bear, to induce the Pro-Slavery men in Kansas to vote for the Constitution without Slavery, so as to embarrass him and his friends in their opposition to the Constitution.

The Washington correspondent of the Rich mond (Va.) Enquirer, who seems to speak with authority concerning the acts and counsels of the Administration, in a letter to that paper dated December 21st, makes the following rious revelation :

"The President adheres firmly to the positions assumed in his annual message, and thinks Gov. Walker's pronunciamento will not entirely annihilate him. If the Constitution should be stripped of the Slavery clause by the vote in Kansas to-day, and such Mr. Buchanan thinks will be the case, he is sanguine Congress will accept the Constitution and admit the State—thus banishing from the halls of na-tional legislation this apple of discord, this bone of contention, this fruitful source of agitation and sectional excitement.

"I understand that Gen. Denver, the Com missioner of Indian Affairs, was dispatched to every Administration Democrat, whether Pro-Slavery or not, to vote against the Slavery clause of the Lecompton Constitution. This was the only salvation for the Constitution; and if the Free State men refused to vote it out, the Pro-Slavery men would have it to do. Events transpiring, after Gen. Denver left here, induced the President to appoint him Secretary of the Territory of Kansas, in the place of Mr.

The correspondent who writes the foregoing s a warm supporter of the Administration, and s writing to the leading Administration paper of the South. We presume he knows whereof he affirms. If the statement be true, it furnishes an extraordinary illustration of the doctrine of Non-Intervention, so strongly insisted upon by the Administration; and it shows, too, the desperate shifts the President has resorted to for the purpose of maintaining an untenable

ANOTHER TEST.

"A Northern Democratic Editor" in Washnoton publishes "a card" in the Union, deprecating the severe strictures of Senator Douglas on the conduct of certain editors from the North, who, happening to be here, are sending las could complain, were adhesion to the policy of recognising the Lecompton Constitution made a party test. The Kansas-Nebraska act, he says, the moment it became an Administration measure, was made " a test of straight-out "It was this test, however, that gave by turn

every State in the North to the Black Republi cans, and to the Senator himself a Black Republi cans, and to the Senate. It was this test, though, that sifted the Democratic party, and gave it riddance of all the Anti-Slavery, Abolition elements that had given it so much trouble before; it purified the party, and in its results established the inalienable doctrine of Popular

It will be observed that, in the spirit of a martyr, he seems to rejoice in the sufferings and reverses sustained by his Party in the cause of Slavery. True, that terrible test prostrated them in every free State, but it purified them of the taint of sympathy with Liberty! What more could be desired? Unfortunately, time has shown that the Party after all was not thoroughly purified-not yet made perfect through suffering for Slavery; and this " Northern Democratic editor" seems willing to subject it to another test, still more excruciating. Exact adhesion to the Lecompton Constitution; make it a test of Democratic orthodoxy, that the Party sustain the Administration in forcing the Constitution of a meager minority upon a vast majority, a Pro-Slavery Constitution hatched by fraud upon a Free State People-and then you will thoroughly cleanse the Party of the slightest Anti-Slavery taint; no man would be left in it who is not ready at all times to do precisely what the Slaveholding Oligarchy requires. This "Northern Democratic Editor" has el

evated ideas of Democracy.

THE PRESIDENT AND GOVERNOR WALKER.

The President, through the Secretary o State, accepts the resignation of Gov. Walker. but deems it improper to reply to the argument which accompanies it. On one point, however,

"You state that the President has changed his policy in regard to Kansas. And why this allegation? Simply because the Convention of Kansas having, in the exercise of the right belonging to them, decided that they would not submit the whole Constitution to the people, al-though they have submitted the all-important dangerous question of Slavery, which threatened to convulse the Union, and was alone prominent in the minds of the people throughout every State, he had not treated the ion of this momentous question as a

perative duty, and this in strict conformity with previous instructions, to take eare that a fair election should be held on this vital question, and thus give peace to the Union. Had he acted in any other manner merely because he generally to the people, his responsibility would have been of the gravest character."

Not so grave as is the responsibility which he now assumes, of attempting to force a Con-Government is Sovereign over Territories, has stitution upon the People of Kansas, in defiance of the principle of self-government, and at the hazard of civil war.

Mr. Buchanan may assume, if he please, that sas, and that it has fairly submitted to the People the question of Slavery, but all the world knows better. Facts flatly contradict him-The Convention was not called by a Legislature representing the People of Kansas. It was not elected by the People of Kansas, four-fifths of whom did not vote-some of them because the officers appointed by the so-called Legislature would not register them; some because they would not recognise, even in appearance, the authority of that body. It was chosen by an aggregate vote of less than 2,000, not more than a fifth of the number of voters in the Terallow, ought to invest them, as fer as may be ritory. The President of the Convention, Mr. Calhoun himself, acknowledged that it repre-

nouncing the election to be held on the 21st, their views on it, at the election in Oc

which the actual bona fide white male inhabitants, resident in said Territory, on said day aforesaid, shall vote for or against the future introduction of Slavery into said State of Kansas, in the manner following, as required by as in the manner following, as required by as much service in my way in the election of the same on this floor.

Rechange as any gentleman on this floor.

voting for Kansas as a slave State shall vote a ballot with the words 'Constitution with Slavery,' and those voting for Kansas to be a free State shall vote a ballot with the words 'Constitution with no Slavery.' " " The future introduction of Slavery "-that

was the question, and the only question submitted. For the existing Slavery there, the Constitution had provided that it should be perpetual!

favor of the future introduction of S avery. The special pleading that might be excused in a pettifogger, does not become the Presi-

KANSAS-THE LEGISLATURE.

The following resume of the work accomcomplished by the Kansas Legislature, previous to its adjournment, is given by the correspondent of the Tribune:

"They repealed the law authorizing the Convention that framed the Lecompton Constitu-

tion; vetoed by Stanton—passed over his veto.
They passed the militia law; vetoed by Stanton-passed over his veto. They elected officers under it. They provided for submitting the Lecompton Constitution to a fair vote of the people on the 4th of January; approved by Stanton. They passed a law to punish election frauds; approved by Stanton. They passed a joint resolution protesting against the Lecompton Constitution, setting forth the facts in connection with it, and, as the representatives and Governor of the Territory, demanded that Con-gress shall not admit Kansas as a State under it; signed by Stanton. They proposed a con-current resolution, reassirming the Topeka Constitution, declaring it to be the organic law for the future State, chosen as such by a majority of the people, and demanding admission under it as a State of the Union. This was placed lieve Stanton from the necessity of signing it. Both of these sets of resolutions are to be sent by the Speaker of the House and the President of the Council to the President, and each presiding efficer of Congress.

"The Legislature rejected the bill for elect

ing delegates to a Constitutional Conventio They neglected or refused to take any steps for submitting the Topeka Constitution together with the Lecompton Constitution. They re-jected the bill providing for electing officers and in the launch, with a crew of 18 men, pen under the Lecompton Constitution in January, to be the officers in case of the acceptance of said Constitution by Congress.

The Legislature of Kansas, at its special sion, acted with prudence and energy.

The Militia Bill was necessary to save Territory from being exposed through the remissness or sinister policy of the Governor, home to their papers animadversions on his who, holding his appointment from Washingcourse. This particular editor avers his sincer- ton, might entertain views inconsistent with the interests of the People.

Their provision for submitting the Lecompton Constitution to a vote of the People on the 4th of January, will test the sense of the whole People in regard to that instrument, and when the returns shall be sent to Congress, the President may find reason to change his position.

ession. General Cass, in the Letter of Instruc- stitution. In the same letter he declares it as tions to Mr. Denver, now Acting Governor.

"The Territorial Legislature doubtless convened on the 7th inst., and while it remains in session, its members are entitled to be secure and free in their deliberations. Its rightful action must also be respected. Should it author ize an election by the people for any purpose, this election should be held without interruption no less than those authorized by the Conven-tion. While the peace of the Territory is preserved and the freedom of election is secured there need be no fear of disastrous consequen-ces. * * * From whatever quarter it is attempted to interfere by violence with the elec tion authorized by the Constitutional Conver tion, or which may be authorized by the Legis lature, the attempt must be resisted, and the security of the elections maintained. The peaceable progress of these elections can obviously occasion no injury to any citizen of any party because their results can have only their due

weight under the Constitution and laws." Mr. Denver is now exercising the functions of Governor. The disturbances at Fort Scott did not grow out of the elections, but out of feuds between the Free State and Pro-Slavery men. Judge Williams, through the Union, charges the blame upon the former, the correspondent of the St. Louis Democrat, upon the latter. Several lives were lost, on both sides, and United States troops were called out. The particulars have not yet reached us, but the accounts seem to be exaggerated.

MR. BRODERICK VERSUS THE PRESIDENT

The California Senator, Mr. Broderick, or Wednesday of last week came out boldly against President Buchanan in his Kansas policy. When Democrats grow manly and outspoken, there is hope that the race of doughfaces may come to an end. Mr. Broderick spoke as follows:

"As I am the only Senator, I believe, on this side of the House who feels disposed, with the Senator from Illinois and the Senator from Michigan, to oppose the Lecompton Constitu-tion, I should like, before the adjournment of the Senate to-day, to be heard for a very few

minutes on this question.
"I have listened to the debate very attentive Illinois and the Senator from Michigan in most of what they have said, I disagree with them in regard to the President's connection with the question. When the President of the United tes sent Gov. Walker and Secretary Stanton to Kansas, they found the people there in a state of insurrection, and, after a great deal of labor on the part of those gentlemen, they restored peace and quiet to Kansas, I think the President of the United States and his Cabinet are alone responsible for the present outbreak in Kansas. Governor Walker had returned to Washington before the President of the United States issued his message. He conversed with the President of the United States on the subject of Kansas. I understand that he told him that fifteen out of the thirty-four counties in Kansas were deprived of a voice in the election of delegates to the Lecompton Convention. If I understand this subject, and I hope I do, I think that the President of the United States is alone responsible for the present state of affairs in Kaneas. It is the first that a President of the United States ev stepped down from the exalted position he held, to attempt to coerce the people into a base submission to the will of an illegalized body of men. I have heard a great deal said about the question of Slavery being submitted to the people of Kansas.

"Why, sir, I consider that the question of

"Why, sir, I consider that the question of Slavery was submitted to the people of Kansas at the October election in a more favorable aspect than it will ever be presented to them again. Mr. Ransom was nominated by the Democratic party for Congress, and if I had been a citizen of Kansas I should have voted for him. The Pro-Slavery men of Kansas had the advantage of presenting a man from a free

the provision therefor, and the question to be last, the question of Slavery was settled. I have been informed, by two Pro-Slavery gentle-determined:

"AN and the slavery question of Slavery was settled."

"The provision therefor, and the question to be last, the question of Slavery was settled. I have been informed, by two Pro-Slavery gentlemen from Kansaa, that the Slavery question

"Now, therefore, be it known to the people of Kansas Territory, that on the said 21st day of December, 1857, polls will be opened in the several election districts of said Territory, at several election districts of said Territory, at that it would never be agitated in the Territory

as much service in my way in the election of Mr. Buchanan as any gentleman on this floor. He was my choice before the Convention at Cincinnati met. I considered him the most available and the most conservative candidate that could be presented to the American people for election to the Presidency, and for that reason I supported him. I regret very much that I am compelled to differ with him on this question; but, sir, I intend to hold him responsible for it. I do not intend, because I am a member of the Democratic party, to permit the President of the United States, who has been elected by that party, to create civil war in But even that single question was not submitted fairly, for no man could vote yea or nay upon it, without voting at the same time for the Constitution. If a Pro-Slavery man, no matter if he hated the Constitution, he must vote for it, if he would make known his will in favor of the future introduction of Savery. pose of placing myself right upon this ques-

WASHINGTON ITEMS

Just before its adjournment, the House Representatives passed a resolution, providing new arrangements in the new Hall. They are as follows :

1. Assigning portions of the galleries for the use of the press, of foreign ministers, and a ladies' gallery. 2. Reserving certain lobbies and staircase

for the use of the press and persons admitted to the floor.

3. Directing the superintendent to fit up the reporters' gallery with seats, desks, and conveniences for writing and taking notes. 4. Reserving the room in the rear of the re

porters' gallery for a telegraph room and 5. Directing the present document room e fitted up for a cloak room for members. 6. Authorizing six additional assistant doc

keepers and assistant 'messengers, and six additional laborers.
7. Amending the 17th, 18th, and 19th rules, enumerating the persons privileged to the floor, the terms upon which reporters may be assigned seats, &c.

8. Allowing the committee further time to

report on the matters referred to them It is understood that the arrangements for members of the press will be completed during the present recess of Congress.

Early in November, the sloop of war Dale Commander McBlair, was lying at the mouth of the Congo river, when private information was obtained of the presence of an American slaver up the river. Lieut. T. Lee Walker, of etrated to Ponto da Lenha, thirty miles from the mouth of the river, surprised the slaver at her moorings, got her under weigh, navigated safely through the shoals of the Congo, and in thirty-six hours from the time of leaving had her at anchor under the guns of the Dale, with the captain and crew in confinement. The prize proved to be the American barqu

W. G. Lewis, of 264 tons. She has been sent to the United States in command of Lieut. Kennard, late first lieutenant of the Dale, to whose position, as executive officer, Lieut. Walker On the morning of Nov. 12th, one of the first cutter's crew of the Dale died, in five seconds

George B. Butler, a distinguished New is out in a strong letter against the Adminis-The Legislature was undisturbed during its tration, for its advocacy of the Lecompton Con-

> his opinion that Slavery is not an evil, but a good; but he believes in giving the people of Kansas fair play. Some of the letter-writers record rumors to the effect that the Administration is already so frightened at Mr. Douglas's movement in defence of Popular Sovereignty, that it will propose that Congress accept the Lecompton Con-

stitution, with a Proviso carrying it to the people of Kaneas for ratification or rejection. Gen. Cass's Letter to Gov. Walker. Washington, Dec. 23 .- Mr. Secretary Cass has given the following reply to Gov. Walker's

etter of resignation : Sin: On Wednesday last I received you communication of the 15th inst., tendering your resignation as Governor of Kansas. This resig nation is accompanied by a long argument on the affairs of the Territory generally, to which, you are well aware, it would be impossible for this Department to reply. If every officer of the Government who feels himself constrained o refuse obedience to the instructions of the President shall pursue this unusual course, and thus place on the files of the appropriate Department a criticism on the policy of the Administration, no person knows better than yourself to what consequences this might lead. They must either cause the charges and arguments against the President to be filed amon he public archives of the country, without con tradiction or reply, or it must spend the time which ought to devoted to the public service in controversies with subordinate officers who may disapprove of the President's policy.

Whilst duty therefore forbids me to enter

to a controversial discussion with you, on the various topics embraced in your argument, i s proper that I should make a remark on single point. You state that the President ha changed his policy in regard to Kansas. And why this allegation? Simply because the Convention of Kansas have, in the exercise of the rights belonging to them, decided that they would not submit the whole Constitution to the people, although they had submitted the all-im-portant and dangerous question of Slavery, which threatened to convulse the Union, and was which threatened to convuise the Onion, and was alone prominent in the minds of the people throughout every State. He had not treated the submission of this question as a mere nulli-ty. Under these circumstances, it was his imperative duty, and this in strict conformit with previous instructions, to take care that a fair election be held on this vital question, and thus give peace to the Union. Had he acted in any other manner, merely because he preferred the submission of the Constitution original nally to the people, his responsibility would have been of the gravest character. He never intended or expressed the opinion that the Convention was bound to submit any portion of the Constitution to the people except the question of Slavery, much less that that portion would be invalid without such submission. Had he entertained such an opinion, this would have been in opposition to the numerous precedents which have occurred since the adoption of the Federal Constitution by the different States. The question of Slavery was the all-absorbing question, and you were sent to Kansas with the confidence of the President to carry out the rinciples of the Kansas-Nebraska act. With the question whether Kansas was to be a free or a slave State, you was not to interfere. You were to secure the people of Kansas a free and fair election, to decide the question for themselves. The President was therefore happy to learn, from your despatches to this Department, July 15th, that in all your speeches you had refrained from expressing any opinion as t whether it would be a slave or free State. am instructed to inform you that your resign tion of the office of Governor of Kansas has I am, sir, your obedient servant.

LEWIS CASS. To Robert J. Walker, Washington.

The Journal of Commerce tells the following reply of a boy to his mother: "The father was of the keep your children at a distance class, turers settle on a vast domain, acquired by the Government of the United States. In regard specially to reignty reside in them? Does settlement in vest them with a right to govern the hundreds of thousands of square miles of a Territory, of the sate of the People. The People of Kansas had a chance to delib title fears for the People. The Question of Slavery fairly to the People. The Question of Slavery should be authorized in the new State, or excluded, but whether slaves might be imported into it. That we do not misrepresent, is shown by the following extract from the Proclamation issued by a majority of some 3,000. I consider that, in the Constitution is voice and their condition ju desire, and their condition of the Mansac and the boy, wanting a new suit, very naturally good authority, that Mr. Ransom is not a Proclamation is voice and the boy, wanting a new suit, very naturally good authority, that Mr. Ransom is not a Proclamation is voice of the Mansac and the boy, wanting a new suit, very naturally good authority, that Mr. Ransom is not a Proclamation in the constitution is voice of the Mansac and the boy, wanting a new suit, very naturally good authority, that Mr. Ransom is not a Proclamation in the constitution is voice of the More of the Mansac and the boy was a point of the Mether slaves in the Constitution is voice of the Mansac and the boy, wanting and the boy was a procl

THE FIRE-EATERS UPON MR. DOUGLAS.

The Richmond South pours cut the vials of its wrath upon Judge Douglas, for his opposition to the Lecompton fraud. It save: "If Judge Douglas had been content with the delivery of a speech, no matter how obnox-

ious its sentiments, he might have hoped for some charity of construction and leniency of censure among the Democracy of the South; the important advantage over that written but surely he cannot expect us to tolerate an act of such declared and determined hostility as is revealed in his resistance to the action of the Lecompton Convention. Words may be forgotten, but for a blow there is no pardon. And what more mischievous blow against the South, it will pretty surely acquire popularity. the Administration, the Democracy, and the Union, could their most malignant enemy suggest, than is inflicted by Judge Douglas, when he employs all his power to prevent a settle-ment of the Kansas difficulty on the basis of the dark side of Mr. Burr's character. Lecompton Constitution? It is idle to argue that he only stands upon a point of expediency. He repudiates the suggestion himself as a reproachful imputation, and claims to contend for an essential principle. The President deems t of great importance to the success of his administration, that Kansas shall be admitted into the Union with the Lecompton Constitution. Senator Douglas exerts every energy of his nature to prevent that consummation.

The South, after interpreting the principle of the Kansas-Nebraska act "in their own way," similar article in the July number of the We proceeds to read Senator Douglas out of the Democratic party.

"The Democratic party affirm the right of

the people of a Territory to develop their insti-tutions 'in their own way,' free from all outside interference. Senator Douglas denies them the privilege of organizing a Government through London Quarterly Review. Published and for so the instrumentality of a representative Convention, and proposes to subject Kansas to restric tions, from which it is exempt by the express terms of the original act of Congress. After this statement, will anybody pretend that Senator Douglas is separated from the South, the Administration, and the Democratic party, by nothing more than an immaterial idea of expe diency? He occupies a position of open and defiant antagonism to the South, the Administration, and the Democracy, on the one issue that overshadows every other question of public policy. He stands shoulder to shoulder with the Black Republican party of the North, on the one distinctive principle of their platform. He is an apostate from the faith, and should suffer

he penalties of desertion." We are apxious to know in what condition the Democratic party will be, when Douglas of Illinois, Forney of Pennsylvania, and Broderick of California, are scouted from its ranks. Every free State will be in the hands of the Republicans, or at least the enemies of the Slave and saleratus are eschewed by Mrs. Mann, and Democracy. What will the "South" and its every other substance which she considers to be allies do than?

It is a little singular, that while such sheets as the Star, of this city, pour out denunciation upon the head of Senator Douglas, the Richmond Enquirer, an able and old defender of Slavery, and published in one of its strongholds, Webster, Fisher Ames, Choate, Everett, Pincktreats the Illinois Senator with marked courtesy and respect. It save:

"His former eminent services to the South demand that he should not be denounced, before ample time has been allowed for an examination of the position which he occupies. That Judge Douglas has for many years been the man upon whom the people of the South have relied, with perfect confidence, no one will deny. Gratitude for past services, respect for eminent talents, and sound policy, alike demand that the language of friendly remonstrance - nay, even expressions of affectionate entreaty, rather than of harsh denunciation—should be used stories are all animated and crowded with income towards our former benefactors. When men | dent. Sometimes he is dandyish in style-a, like Douglas make a false step, and we have in other words, affected, but he is the brink of the abyss of political destruction they should not be thrust prematurely over, and their fall greeted with execrations and abuse. Until, therefore, the clearest evidence is for nished us that Senator Danglas has become ar avowed enemy of the Administration, and a toe to our rights, we shall not hold him up to our readers as an apostate and a Black Repub-

A Thrilling Adventure with the Mormons C. G. Langdon, formerly connected with the United States Surveyor's office in Utah, was engaged in his official duties at the time the United States Court was broken up, and witnessed the stampede of Uncle Sam's officers. Brigham Young having declared that no United States official should again set foot in the Valley, Langdon was prompted to visit Salt Lake City, and see what preparations the Mormons were making. He saw them casting cannon shot, and manufacturing grape and cannister

in great abundance, and some fifty men making Colt's dragoon-size revolvers. He was detect ed, however, and "spotted" for destruction. He says:
"Accordingly, on the 25th day of July, when crossing the street, I was assailed by a party of fully beaten with clubs and stones. I was literally cut and bruised and mangled all over my head, face, breast, hands, and arms. I was taken home unconscious, and had it not been for some emigrants there who interposed, I should have been brutally murdered in the

streets, and without the least possible chance to defend myself. "All was quiet until the night of the 27th of July. I was disturbed by loud rapping at the back door of the office, (I lived next door,) and dence and an inventive genius, surmounted all also heard voices at the front door. I heard Mr. Wilson raise the window above, and ask what was wanted. He was ordered to come down and deliver himself up, under arrest, by the authority of Governor Brigham Young. He asked what charge they had against him. Come down, and we'll d-n soon show you.

was the reply.

"The next heard was the door being broken open, and the voice of Mr. W. in expostulation with them. The entreaties of his wife, beg ging for them to spare her husband, mingled with with their oaths and obscene expressions, rendered the scene perfectly heart-sickening. lay almost powerless with the pain of my wounds and conflicting thoughts and emotion until suddenly I was thoroughly aroused by earing them beneath my window and at th back door. I told my wife not to make a noise, or even cry; she did not cry, but her last words were, 'For God's sake, George, fly! Go, go, if you can; I—I—cannot see you murdered!
Oh, go! and I will do the best I can to detain

I had time to put on a pair of pantaioon and one stocking, when without any ceremony the door was burst open, and a posse of mid night assassins entered below. my wife to extinguish the light, which she did They immediately made a rush for the stairs, expecting no doubt that I was preparing for fight, but I could not have killed a mouse then. I stopped and kissed my infant boy, (perhaps for the last time on earth,) then barely had time to leap from the window, and in doing so cut my foot very badly. It seemed the Fates vere against me. But suddenly the thought struck my mind, that if I could possibly make my escape, I might probably be the means of saving Wilson—thinking they dare not execute their bloody purpose on one alone, as the other would be too formidable a witness against them. us most, we may mention a poem entitled "Car For I thought of my wife and child—yes, I might tawba Wine," and another entitled "The Wedyet live to rescue them from the blighting influence of their teachings-from a life of poverty, gnorance, and wretchedness. Thus, with re newed energy, I pursued my way through the corn fields and thickets, barefooted and bareeaded, and nearly nude; but at last I found a friend who relieved me, all that lay in his power, by giving me a pair of moccasins and an old hat. Thanks, my friend; may you never Thanks, my friend; may you never

I was hotly pursued several days. The next morning after I started for California, I had e satisfaction of seeing seven of my pursuers, wenty yards, while I was secreted behind a ments on the Kansas parts of the President's sh. I could not refrain from a smile, message : even then, in my critical position, to see their

The Rebiem.

Life of Aaron Burr. By James Parton. New York

ington, D. C. This is one of the most agreeably written ographies of the year-in some respects, to best biography of Aaron Burr extant, It is Mr. Davis, that it is condensed and abriday into one volume, though this contains near 700 pages. No book which we have lat seen is more interesting or more readable as

The North British Review. New York: Leonard 8 & Co. For sale by Taylor & Maury, Washing

is, as in most biographies, special pleading, as

a strong inclination to touch lightly upon

The November number of this able Recontains several articles of unusual interes One, entitled "Slavery and the Slave State will receive general attention this side the lantic. It is written with manifest ability. by a person conversant with American insti tions, which cannot be said of the author of minster Quarterly. A review of "Sir A son's Histories," an article on "Luttrell's ary," one on the "Memoirs of John Dalto: and another upon "Beranger," constituting the

most readable portions of this number.

The October number of this work contra the usual quantity and quality of matter. sketchy paper upon "Cornwall," a review that delightful book, "Tom Brown's Sch Days," articles upon "Communication With India," " Court of James I," " A Voyage to Iceland," &c., make up its contents.

Physiological Cook Book. By Mrs. Horace No. Boston : Ticknor & Fields

The authorship of this book will be sure to attract the notice of the general public. should be a good one, coming from such a source-and, after an examination, we pronounce it such. To follow Mrs. Mann, how ever, in her receipts, one needs to keep a dairy, as she uses "cream" in everything, What are the denizens of cities to do, who see noth ing but pale-blue milk the year round? Sods hurtful. The Golden Age of American Oratory. By Edward

In this neat volume we have carefully with ten and sometimes eloquent sketches of Clar ney, Chapin, Beecher, and Wendell Phillips. The style of the author is perspicuous and ani mated, and he has succeeded in making a vert interesting book.

White Lies, Part IV. By Charles Rende. Book

We have noticed the previous parts of this story, and accorded to it the merit of being lively, witty, and interesting. The conclusion of the tale does not change our opinion of it character as previously expressed. Mr. Readel This should cover a multitude of literary sins Missionary Travels and Researches in South Africa B David Livingstone, LL. D. New York: Harper

This volume has been anxiously looked for during the last three months, and has at last made its appearance as a reprint this side the Atlantic. The volume is issued in a quarte form, and contains over 700 pages and over 40 illustrations. It is, perhaps, the book of travels for the year. David Livingstone, the author of it, is a hero who ranks with Kane, Sir John Franklin, Mungo Park, and other illustrious discoverers. He tells his story modestly, in lovely language, but every page abounds with

incident, and the reader is enchained till the

bulky volume is finished. Mr. Livingstone was a plain missionary, sent out from England to the wilds of Africa. It is a singular fact, that twelve of the sixteen years spent in the interior of Africa he was accompanied by his wife and young children-they together making the renowned discovery Lake Ngami. Before, however, making his longest journeys, he sent his family to England. This occurred in 1850, he then expecting to join them there two years afterward, but di not till 1856. The journey from the Cape of Good Hope to Loando, on the West Coast, and the subsequent one thence across the African continent to the Eastern ocean, will carry his name to future generations as a resolute, selfpossessed, and successful traveller. He was the difficulties which lay in his path. He was

often in the very jaws of death, but escaped time after time, almost miraculously. The chief merit of Mr. Livingstone's journey may be his vast additions to the geographical knowledge of the world, but it is not the only merit. The example of such a man, the picture of such heroism as his, not only interests, but purifies and ennobles him who stops to lock

Portraits of My Marr'ed Friends. By Uncle Ben. New York : Appleton & Co.

"Uncle Ben" evidently has a prejudice against married people. His portraits of his married friends are not, upon the whole, pleasant to look at. There are bright exceptionsbut not many. Uncle Ben should have married him a pretty, faithful, loving wife, and he would have written a somewhat different book, we are sure-if he had written any at all. Ten to one, he would have, in this event, been so happy as ever to have written one!

The sketches in the volume are very well written, and will furnish amusement for a winer's evening.

The January number of the Atlantic may strike the reader at first to be a little heavy. but it is really an excellent specimen of the new monthly. A few of the articles are upon matters pertaining to the arts and sciences, but there is the usual assortment of spicy and readable papers. Among those which have pleased tawba Wine," and another, entitled "The Wedding Veil," a fine historical sketch of Spartacus, full of interest and fire, another instalment of Dr. Holmes's breakfast-table talk, a spirited poem, "Tacking Off Shore," with the genuine smack of salt water in it," and a spirited and severe review of the President's Message. Altogether, it is a capital number.

The Charleston Mercury, which represent he satisfaction of seeing seven of my pursuers, a large number of Representatives and Sens-nounted and armed to the teeth, pass me within tors in the present Congress, says, in its com-

"We differ, too, with the President, as to what Knives and pistols hung to their belts, while I had not even a penknife.

I have not yet heard from Salt Lake, and do not know the fate of Wilson. I entertain but Whather the clause in the Constitution is voted.